

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

**IN RE:
MARVIN S. MILLER**

**CHAPTER 13
CASE NO.: 21-51103-KMS**

TRUSTEE'S NOTICE & MOTION TO DISMISS CASE FOR NON-PAYMENT

PLEASE TAKE NOTICE that a written Response to the Trustee's Notice and Motion to Dismiss Case for Non-Payment must be filed with the U.S. Bankruptcy Court Clerk's Office, Dan M. Russell, Jr., U.S. Courthouse, 2012 15th Street, Suite 244, Gulfport, MS 39501, within twenty-one (21) days of the date of this Notice. Failure to timely file a Response will result in case dismissal. A Response will result in the Motion being set for hearing on: **Thursday, August 7th, 2025, at 10:00 a.m.**, at the foregoing Court location, 7th Floor, Bankruptcy Courtroom.

1. The Chapter 13 Trustee moves to dismiss the instant case for non-payment. Debtor(s) current plan payment **default through June 2025 totals \$2,440.00.**

WHEREFORE PREMISES CONSIDERED the Trustee requests dismissal of the instant case for failure to make plan payments as required by 11 U.S.C. § 1307.

CERTIFICATE OF SERVICE

I, **WARREN A. CUNTZ, JR.**, Chapter 13 Trustee, certify that I have served electronically a true and correct copy of the above Notice and Motion to Dismiss Case for Non-Payment to:

**David W. Ashbach, Esq., United States Trustee
Thomas Carl Rollins, Jr., Esq., for Debtor**

**USTPRegion05.JA.ECF@usdoj.gov
trollins@therollinsfirm.com**

DATED this the 11th day of July 2025.

/s/ Warren A. Cuntz, Jr.

Chapter 13 Trustee
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